

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

**PATENT APPLICATION**

Applicant: **Doerr et al.**

Case: **Doerr 73-13 (LCNT/125620)**

Serial No.: **10/657,862**

Filed: **September 9, 2003**

Examiner: **Kianni C. Kaveh**

Group Art Unit: **2883**

Title: **INTEGRATEABLE OPTICAL INTERLEAVER AND DE-  
INTERLEAVER**

COMMISSIONER OF PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

**SUPPLEMENTAL DECLARATION UNDER 35 C.F.R. § 1.131**

We, Christopher Richard Doerr and David S. Levy, in support of conception and diligence in reduction to practice of claimed subject matter prior to filing of the present application on September 9, 2003, hereby declare as follows:

1. We are co-inventors of the subject matter described and claimed in the present application filed on September 9, 2003 and are familiar with the disclosures and pending claims;
2. That we jointly conceived of the subject matter of all claims pending in this application prior to March 23, 2003, the publication date of *Doerr et al.*;
3. That our conception of the claimed subject matter of the pending claims in this application prior to March 23, 2003 is evidenced by Exhibit A, which

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is an invention disclosure disclosing the claimed subject matter of the pending claims in this application;

4. That the invention disclosure shown in Exhibit A was prepared prior to March 23, 2003;

5. That we diligently pursued the subject matter of the pending claims from a time beginning before March 23, 2003, until filing of the present application on September 9, 2003, as further described in points 6 – 14 below;

6. That we submitted the invention disclosure shown in Exhibit A to our in-house legal department;

7. That our in-house legal department submitted the invention disclosure shown in Exhibit A to an outside legal firm for prosecution of the present invention on April 10, 2003, as evidenced in Exhibit B;

8. That the outside legal firm was diligently working on the present application prior to June 20, 2003 when the outside legal firm contacted at least one of us regarding questions with respect to drafting of the present application, as evidenced in Exhibit C;

9. That the outside legal firm provided a first draft of the present application to us on or before July 17, 2003, as evidenced by Exhibit D;

10. That additional communication regarding the present application was initiated by the outside legal firm on July 25, 2003, as evidenced by Exhibit E;

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11. That the outside legal firm provided a first final draft of the present application to our in-house legal department on August 20, 2003, as evidenced by Exhibit F;

12. That the outside legal firm provided a second final draft of the present application to us for acceptance of changes requested by our in-house legal department on August 28, 2003, as evidenced by Exhibit G;

13. That the outside legal firm provided a third final draft of the present application to our in-house legal department on September 4, 2003, as evidenced by Exhibit H;

14. That subsequent reduction to practice of the invention occurred at least on September 9, 2003 with the filing of the present application.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

\_\_\_\_\_  
Date

1/26/06  
\_\_\_\_\_  
Date

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CHRISTOPHER RICHARD DOERR

*David S. Levy*  
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DAVID S. LEVY